

IN THE SENATE OF THE UNITED STATES.

MAY 30, 1860.—Ordered to be printed.

Mr. DURKEE made the following

REPORT.

[To accompany Bill S. 476.]

*The Committee on Revolutionary Claims, to whom was referred the petition of Virginia Rose, for herself and the other heirs of Captain Alexander Rose, of the revolutionary war, praying to be allowed commutation, have considered the same, and beg leave to submit a report made by the late Mr. Evans, as expressing the views of the committee, to wit:*

From the evidence submitted, there seems to be no doubt Alexander Rose was a captain in the Virginia continental regiment from the 17th of September, 1776, to the 3d of September, 1778; that he never received the commutation, and died about 1814. To entitle his heirs to the commutation of five years' full pay under the resolution of 1783, it is necessary that they should adduce satisfactory evidence that he served to the end of the war. The evidences of that fact are: 1st. That he received from the State of Virginia the amount of land which was due to an officer who so served; 2d. The affidavit of John Stith, a captain in the fourth regiment, dated in 1807, who swears that Alexander Rose was in the sixth regiment of infantry in the spring of the year 1776, and afterwards was promoted to the rank of captain, in which capacity he served to the close of the war, in 1783. There is also a certificate, signed by Samuel Coleman, in the following words: "It appears from the list transmitted from the War Office of the United States that Alexander Rose was considered as in service until the end of the war, and that he is entitled to additional land bounty for eight months." Copies of the above affidavit and certificate are certified from the executive department of Virginia, by the secretary of the commonwealth; 3d. A letter from the Assistant Secretary of State of the United States to the chairman of this committee, in which it is stated that "the name of Alexander Rose appears on the list of officers who served to the close of American independence, on file among the original Washington papers in that department."

But, on the other hand, there is evidence from the Pension Office (a copy of the commissioner's letter is appended to this report) that the name of Alexander Rose is returned on the list of officers of the Virginia continental line, on file in that office, among the supernume-

rary captains, prior to October, 1780, who were entitled to one year's pay and bounty land.

There is an apparent inconsistency in these statements. But the committee think the preference should be given to the first, because:

1. The Washington papers, as to the service of the officers, are regarded as more reliable than the lists to be found in the other offices.

2. Because the affidavit and certificate are both confirmatory of the service to the end of the war.

3. That both may be true, as Captain Rose, although a supernumerary in 1780, may have again entered the army and served as stated in the Washington papers.

Your committee, believing the claim just and the evidence satisfactory, report a bill to pay the heirs of Captain Alexander Rose the commutation of a captain of infantry.

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*Letters referred to in the foregoing report.*

PENSION OFFICE, *March 3, 1858.*

SIR: I have to acknowledge the receipt of the letter of Mr. Robert A. Matthews, requesting, at your instance, this office to furnish the Committee on Revolutionary Claims such evidence as its records afford in relation to the services of Captain Alexander Rose, whose heirs claim that he served from the commencement to the close of the revolutionary war. In reference thereto, I have to state that the name of Alexander Rose is returned on the list of officers of the Virginia continental line, on file in this office, among the supernumerary captains, prior to October, 1780, who were entitled to one year's full pay and bounty land from the United States.

It does not appear, on the list of officers above referred to, at what particular period Captain Rose became supernumerary; but a note or memorandum is made opposite his name in these words: "Settled, per receipt-book B, p. 152," which receipt-book, it is presumed, is somewhere in the Third Auditor's office.

It appears that land warrant No. 1863, for 300 acres, issued March 3, 1791, to Alexander Rose, a captain of the Virginia continental line. No certificate for "commutation pay" appears ever to have been issued to that officer. It further appears, from an authentic list in this office of the grants of military bounty land warrants issued by the State of Virginia, that as early as November 11, 1785, a warrant for 4,000 acres issued to Captain Alexander Rose, for a three years' service; and that on the 20th of February, 1807, another warrant for 666 $\frac{2}{3}$  acres issued to and in right of that officer, for a seventh year service; and again, on September 1, 1807, a warrant for 444 acres issued for eight months' additional service.

I am, sir, very respectfully, your obedient servant,

GEORGE C. WHITING,

*Commissioner of Pensions.*

Hon. JOSIAH J. EVANS,  
*U. S. Senate.*

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,  
*November 2, 1835.*

SIR: In reply to your letter of the 30th ultimo, inquiring whether Captain Alexander Rose, of the Virginia continental line, has ever been paid his commutation, I have the honor to state that it appears from the revolutionary records on file in this office, that Captain Alexander Rose became a supernumerary officer in the Virginia continental line on the 3d of September, 1778. Officers who became supernumerary at that period of the war were not entitled to commutation of five years' full pay in lieu of half-pay for life.

With great respect,

PETER HAGNER,  
*Auditor.*

Hon. GEO. LOYALL,  
*Norfolk, Va.*

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DEPARTMENT OF STATE,  
*Washington City, March 19, 1858.*

SIR: I have the honor to state that the name of Alexander Rose appears on the list of officers who served until the close of the war of American independence, on file among the original "Washington papers" in this department.

I am, sir, very respectfully, your obedient servant,

JOHN APPLETON,  
*Assistant Secretary.*

Hon. J. J. EVANS,  
*Chairman of Senate Committee on Revolutionary Claims.*

